

REMARKS

Figure 1

The Notice of Allowance papers specify that Figure 1 is objected to for displaying amino acid sequences without the appropriate sequence identifiers.

MPEP 2422.02, entitled ***The Requirement for Exclusive Conformance; Sequences Presented in Drawing Figures***, provides that

“It should be noted, though, that when a sequence is presented in a drawing, regardless of the format or the manner of presentation of that sequence in the drawing, the sequence must still be included in the Sequence Listing and the sequence identifier ("SEQ ID NO:X") must be used, either in the drawing or in the Brief Description of the Drawings.

Figure 1 provides a sequence comparison of the NiG amino acid sequence from four different species.

MPEP 2422.02 requires that sequences presented in the drawings must be included in the sequence listing. Accordingly, Applicant has amended the sequence listing to include the four sequences presented in Figure 1, as SEQ ID NO:s 45-48.

MPEP 2422.02 requires that sequences presented in the drawings must use a sequence identifier ("SEQ ID NO:X"), either in the drawing **or** in the Brief Description of the Drawings. Accordingly, Applicant has amended the Brief Description of the Drawings to reflect include the inclusion of the new sequence identifiers (SEQ ID NO:s 45-48).

Specifically, the Description of the Figure section in the specification has been amended to reflect that Figure 1 provides a sequence comparison of the NiG from four different species, human, monkey, rat and mouse (SEQ ID NO:45, SEQ ID NO:46, SEQ ID NO:47 and SEQ ID NO:48, respectively). No new matter has been entered by this amendment to the Description of the Figure section of the specification.

In light of the above amendments to the specification and to the sequence listing, Applicant submits that corrected drawings are not required as indicated in Box 5b of the Notice of Allowance.

Sequence Listing

As described above, Applicant has amended the sequence listing to include the four new sequence identifier tags: SEQ ID NO:45, SEQ ID NO:46, SEQ ID NO:47 and SEQ ID NO:48.

The sequence listing filed June 9, 2010, in which SEQ ID NO:s 45-48 were added, was found defective, apparently due to the use of an older version of Patent-in program. Accordingly, a newer version is used, and the numbering in SEQ ID NO: 46 corrected. The sequence listing has also been amended to update the title and the priority information.

I hereby state that the amendments included in the substitute Sequence Listing are supported in the application, as filed, at least in the originally filed Figure 1, where the sequences newly identified by SEQ ID NO:s 45-48, are presented. Thus, the substitute Sequence Listing does not include new matter.

A copy of the substitute Sequence Listing in paper and computer readable form are electronically filed simultaneously herewith.

The substitute Sequence Listing enclosed herewith has been voluntarily amended to facilitate its administrative processing, and not for reasons related to patentability.

SEQUENCE STATEMENTS UNDER 37 C.F.R. 1.825(a) and 1.825(b)

As stated above, the submission of the substitute Sequence Listing filed concurrently herewith does not include new matter.

The copy of the substitute Sequence Listing in computer readable form filed concurrently herewith is the same as the paper copy of the substitute Sequence Listing filed concurrently herewith.

Conclusion

If it is determined that a telephone conference would expedite the prosecution of this application, the Examiner is invited to telephone the undersigned at the number given below.

In the event the U.S. Patent and Trademark Office determines that an extension is required, applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 04-1105 referencing docket no. 82922(302934).

Dated: June 18, 2010

Respectfully submitted,

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Attachments